

3739

To: John P. Leubecker  
 Primary Examiner , Art Unit 3739  
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 From: SERGEY MATASOV, M.D.  
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 Re: Examiner's first report on patent application No. 09/509,377  
 Date: 22 April, 2002



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 TECHNOLOGY CENTER R3700

Dear Mr. Leubecker,

Thank You for Your remarks. My reply corresponds to Your numeration.

According to item 1.

The elements, not indicated on original drawings (light and image transmission elements, light source, eyepiece 1, everted part of the invaginator 4, source of working pressure 5, rings 8 and 9, manometer 18, rectum 20), but enumerated in the original specification, are removed from the substitute specification.

The convertors of pressure into mechanical movement, for example units "cylinder/piston" or sylphon mentioned in the original and substitute specification, does not present on the drawings for reasons of clarity.

According to item 2.

The substitute specification includes section headings pursuant to MPEP 601.

According to item 3.

- The term "*intractor*" is the antonym of a word "extractor". It means an element, which realizes the push.
- The term "*sylophone*" in the original specification does not exist, but there is a term "*sylphon*". The term "*sylphon*" means: "a thin-walled (usually metallic) cylindrical shell with the transversal corrugated lateral surface; axially expands or shrinks (as a spring) under the effect of difference of pressure inside and outside or under the effect of external power effect" (Large Encyclopaedia).
- The term "*manual extraction and intraction*" means the process of taking out and introducing, carried out by hands.
- The term "*control branch*" in the original specification does not exist, but there is a term "*control block with communication branch*", indicated on drawings under number 2.
- The term "*areas 28*" means the parts on the tube 3 and on the ends of preservatives 26, 27 for their tight joining. The synonyms of the term "*area*" are: part, sector, fragment, zone.
- The term "*condom*" in the original specification was used mistakenly through translator fault. In the substitute specification the term "*condom*" is changed throughout the whole text by the term "*preservative*". The term "*preservative*" descends from a Latin word "*preservatio*" - protection. In English this term has the same sense.

The preservatives 26, 27 represent segments of thin-walled tubes. Their function is to protect endoscopic tube 3 from a potential contact with infected intestinal contents and thus exclude the necessity of its disinfection and sterilization.

- In the substitute specification the term «*pleat*» is used, which means: "the form of arrangement of layers characterized by their bending without break of its continuousness" (Large Encyclopaedia).

According to item 4.

Discovered grammar errors and spelling errors are corrected.

According to item 5.

Pursuant to 37 CFR 1.125 (a) herewith I present the substituted specification which contain only subject matter from the original specification and the previously entered amendments.

According to item 6-8.

In view of Your remarks herewith I present the substitut claims drawnd up with obs rvance of the requirements of MPEP § 608.01 (n), 35 USC 112 (§ 2) and 37 CFR 1.75

According to item 9, 10.

As th criterion for s lection of th prototypes from the patents offered by You, the following requirement of safety and effici ncy of colonoscopy was taken: the colon examination for the purpose of search of a tumour or pretumor formation requires a constant visual check-out of colon mucous. Accordingly, the closing of objective by invaginator is inadmissible in endoscopes.

The devices under the patents US 5.613.947, US 5.236.423, US 5.993.427 does not meet this minimal requirement to endoscopes and can not serve as prior art of invention.

The devices under the patents US 4.321.915 and US 4.615.331 are described in the substitute specification.

Yours faithfully,

Sergey Matasov, M.D.



End:

1. Statement of proposed amendments
2. Substitute specification and claims of the application No. 09/509,377 (PCT/LV98/00006)